

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Elaine E. Bucklo	Sitting Judge if Other than Assigned Judge	Edward A. Bobrick
CASE NUMBER	03 C 6245	DATE	3/29/2004
CASE TITLE	Kestrel Holdings I, L.L.C. vs. Learjet, Inc., et al		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

DOCKET ENTRY:

- (1) Filed motion of [use listing in "Motion" box above.]
- (2) Brief in support of motion due _____.
- (3) Answer brief to motion due _____. Reply to answer brief due _____.
- (4) Ruling/Hearing on _____ set for _____ at _____.
- (5) Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) Trial[set for/re-set for] on _____ at _____.
- (8) [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
 FRCP4(m) Local Rule 41.1 FRCP41(a)(1) FRCP41(a)(2).
- (10) [Other docket entry] Enter Memorandum Order regarding Plaintiff's Motion to Compel and request for fees from defendants' counsel. Status hearing set on May 24, 2004 at 10:00 a.m. to stand.

(11) [For further detail see order attached to the original minute order.]

	No notices required, advised in open court.		Document Number
	No notices required.	number of notices	
✓	Notices mailed by judge's staff.	date docketed	
	Notified counsel by telephone.	docketing deputy initials	
	Docketing to mail notices.	3/29/2004	
	Mail AO 450 form.	date mailed notice	
	Copy to judge/magistrate judge.	SB7	
SRB courtroom deputy's initials		Date/time received in central Clerk's Office	mailing deputy initials

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KESTREL HOLDINGS I, L.L.C.,)	
)	
Plaintiff,)	
)	
vs.)	No. 03C6245
)	Judge Elaine E. Bucklo
LEARJET, INC., AND BOMBARDIER INC.,)	
)	Edward A. Bobrick,
)	Magistrate Judge
Defendants.)	

MEMORANDUM ORDER

Before the court is Plaintiff's Motion to Compel Discovery from Mark Racine, one of defendants' experts who was properly served with a subpoena duces tecum, under Federal Rules of Civil Procedures Rule 45, by plaintiff in this jurisdiction, and who has failed to respond. Plaintiff also requests that Mr. Racine and/or his attorneys reimburse plaintiff for its reasonable attorneys' fees and expenses related to this motion. The Court, upon review of plaintiff's and defendants' written submissions, and after receiving oral argument from counsel for all parties present

IT IS HEREBY ORDERED:

1. Plaintiff's Motion to Compel is GRANTED. Within five (5) days of the date of this order, Ron Sprague, as counsel for Mark Racine, shall submit a written certification to plaintiff's counsel that all documents responsive to the categories enumerated in the subpoena duces tecum that are within Mr. Racine's possession or control (including those documents within the possession or

control of Mr. Racine's counsel and/or defendants' counsel), have been produced to plaintiff's counsel. Mr. Sprague shall also ensure that all supplemental documents responsive to the categories enumerated in the subpoena that come within Mr. Racine's possession or control in the future (including those documents that come within the possession or control of Mr. Racine's counsel and/or defendants' counsel) are promptly produced to plaintiff's counsel.

2. Plaintiff's request for fees and costs related to its Motion to Compel is also GRANTED. Plaintiff to submit its petition for fees and costs by April 7, 2004. Defendants to file their response to said petition by April 21, 2004.

3. This matter shall remain open until May 24, 2004. Out of state counsel are granted permission to participate in future proceedings by telephone, at their option. This matter is set for a status conference on May 24, 2004 at 10:00 a.m.

ENTERED: 

EDWARD A. BOBRICK
U.S. Magistrate Judge

DATE: March 29, 2004